Senate Statistics

Secretaries of the Senate

Charles Cutts

Imagine the chaos. Seven weeks earlier, an invading army had set fire to all but one of Washington's public buildings. The Capitol lay a smouldering ruin, its destruction fueled by gunpowder paste, tinder-dry library books, and the House of Representatives' archives. Senate records dating from 1789 might have suffered a similar fate but for a quick-thinking clerk in the Office of the Secretary who evacuated them to the safety of the Virginia countryside. The Secretary of the Senate lay in his burial plot at Congressional Cemetery.

August 24, 1814, had been one of the darkest days in the war with Great Britain. By September, however, the marauding British forces had withdrawn and President James Madison had called Congress into emergency session at the Patent Office. On October 11, after addressing other pressing business, the Senate turned to the election of a new Secretary to help manage the chaos. Samuel Otis, Secretary from the first session in April 1789, had died of natural causes six months earlier. As the first person to serve as Secretary and as an incumbent of that office for a quarter century, Otis had firmly stamped the position with his own style and personality. But the seventy-three-year-old Otis had also made a few enemies in recent years among senators who had begun to question his competence and efficiency.

The October 1814 election for his successor proved to be a contentious affair. More than twenty individuals expressed interest in the job and the Senate actively considered nine of them. After ten ballots, former New Hampshire Senator Charles Cutts gained the position with a bare majority of sixteen of the thirty-one votes cast.

Born in Portsmouth, New Hampshire, Charles Cutts graduated from Harvard College in 1789 — the year the Senate first convened. Choosing not to follow his father's career as a shipbuilder, Cutts studied to be a lawyer and was admitted to his state's bar in 1795. He practiced law for seven years and won election to the New Hampshire house of representatives, where he served from 1803 to 1810. In common with Samuel Otis, Cutts served several terms as speaker of his state's house of representatives.

In June 1810, the New Hampshire legislature elected Speaker Cutts to serve the remaining two-and-a-half years of an unexpired term in the United States Senate. In that era of lengthy recesses between congressional sessions, however, Cutts did not appear in Washington until December and then only for the three-month session which expired on March 3, 1811. He then returned to New Hampshire to practice law for another eight months until the convening of a new session in November 1811.

That new session began with intense debates surrounding deteriorating relations with Great Britain. On May 18, 1812, decades before the establishment of presidential nominating conventions, Cutts caucused with the eighty-eight other Jeffersonian Republican members of Congress who convened in the Senate chamber to nominate President James Madison as their party's candidate for the 1813 presidential term. A month later, on June 17, Cutts joined a Senate majority in voting, 19 to 13, to declare war against Britain.

While a senator, Cutts regularly chaired select committees devoted to matters of trade, economic development, and military defense. Otherwise, little is known of his legislative activities. When his brief Senate term ended in March 1813, the New Hampshire governor appointed him to serve the beginning of a new term until the state legislature could meet to decide on a successor. He took his oath when the Senate convened on May 24, 1813, but his service ended in less than three weeks with the June 10 arrival of his successor. Cutts resumed his New Hampshire law practice, but kept an eye open for an opportunity to return to Washington. His chances brightened with the election of former Massachusetts Governor Elbridge Gerry as Vice President in 1813. Neighboring New Englanders and active supporters of President Madison, the two men had been well acquainted for many years. Word that a Senate stenographer had been engaged in writing tracts against the Madison administration presumably convinced the increasingly partisan vice president that having a Madison loyalist as Secretary would help to control such behavior. Although firm evidence is lacking, one can reasonably conclude that Gerry supported Cutts' bid for the Secretaryship in the crowded contest that resulted in his October 1814 election.

Secretary Cutts spent a good part of the following year preparing for the Senate's move from its temporary downtown quarters in the Patent Office to temporary accommodations back on Capitol Hill. On December 4, 1815, after the Senate convened in the hastily erected "Brick Capitol" on the current site of the Supreme Court Building, Cutts and others focused on plans for restoring the badly damaged Capitol and returning to a more-or-less normal legislative routine.

In this unsettled environment, Cutts explored the issue of a pay raise for himself and the Senate floor staff. Since 1789, senators had received six dollars for every day they attended a Senate session — approximately $900 per year. By contrast, the Senate paid its Secretary an annual salary in recognition of his year-round responsibilities, including periods of up to nine months when the Senate was not in session. For the first twelve years, Secretary Otis received a salary of $1,500. When Congress moved to Washington in 1800, his pay increased to $2,000, while members continued at the six-dollar rate.

The War of 1812 had set off an inflationary spiral that reduced members' purchasing power and emboldened them to seek a pay raise. Under the Compensation Act of 1816, Congress replaced the daily rate with a $1,500 annual salary — and, in an act of great political daring, made that raise retroactive to March 1815. As many feared, this action triggered an explosive public reaction, which led to the defeat of many senators and representatives who had supported the increase. The following Congress quickly repealed

that statute and returned to a daily rate, which it cautiously hiked up to eight dollars. Despite this retreat for members' compensation, the Senate agreed to increase its Secretary's salary to $3,000. It also advanced the principal clerk's salary from $1,300 to $1,800 and pushed the engrossing clerk from $1,000 to $1,500. At a time of expanding Senate workload and accelerating turnover among senators, the institution significantly rewarded its major legislative aides, even while sustaining a sizeable pay cut for members.

Congress returned to the restored Capitol in December 1819, just in time to confront the deeply contentious question of whether slavery would be permitted in newly admitted states. The Missouri Compromise of 1820 confirmed the informal system of admitting new states in pairs comprising a slave state and a free state. This measure transformed the Senate, with its equal number of slave and free states, from a relatively quiet subsidiary of the House of Representatives to the principal forum for debating the nation's most important issue — the extent to which slavery would be permitted in its western regions. By the early 1820s, the Senate was on its way to earning its reputation as "the world's greatest deliberative body." This change soon became evident in the Senate's administrative and financial operations.

In 1823 and 1824, the Senate took several significant steps to tighten the Secretary's accountability for these operations. From the earliest days, the Secretary served at the pleasure of the vice president, who appointed him. Samuel Otis owed his position and political support to John Adams. While Otis's critics became more visible after Adams moved from the scene in 1801, he skillfully managed to survive their complaints. Charles Cutts lost his apparent patron when Vice President Elbridge Gerry died just six weeks after the Secretary's election. Problems did not become evident, however, until the Senate returned to its refurbished Capitol quarters and was no longer as distracted from basic housekeeping matters.

Early in 1823, in an effort to make its principal officer more accountable, the Senate approved legislation requiring the Secretary to submit, at the end of each congressional session, a statement of the names and compensation of all persons employed and expenditures from the contingent fund — today's "Green Book." Secretary Cutts presented his first annual report on December 2, 1823. Several weeks later, on December 31, the Senate adopted a rule that suggested a degree of unhappiness with Cutts. It provided that the Secretary would be appointed by the full Senate, rather than its presiding officer. On January 26, 1824, the Senate tightened this control further by requiring the Secretary to stand for reelection at the start of each Congress, rather than continuing to serve "during good behavior." (This practice continued for the next twenty-five years.)

Following this new procedure, the Senate of the newly convened Nineteenth Congress proceeded to elect its Secretary on December 12, 1825. Despite Cutts' desire to remain in that post, he lost it to Walter Lowrie, a recently retired senator and past chairman of the Senate Finance Committee. The fifty-six-year-old Cutts then moved to nearby Lewinsville in Fairfax County, Virginia, where he lived for the next twenty years. Little

is known of his life during that time, but when he died on January 25, 1846, a Washington newspaper issued a most enviable epitaph. "He was an honest man, a faithful friend, and one of the most benevolent of human beings."